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18 Attorneys for Plaintiffs

19
20 **IN THE UNITED STATES DISTRICT COURT**
21 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
22 **(SAN FRANCISCO DIVISION)**

23
24 IN RE: BEXTRA AND CELEBREX) **MDL CASE NO.: 05-CV-1699**
25 MARKETING SALES PRACTICES AND)
26 PRODUCT LIABILITY LITIGATION)
27 _____
28 ACQUAROLE, et al.,) **CASE NO. CGC-06-449463**
29) **MDL Case No. 06-2392 CRB**
30)
31 Plaintiffs,) **STIPULATION AND ORDER OF**
32) **DISMISSAL WITH PREJUDICE**
33 vs.) **AS TO PLAINTIFF NADINE BERGESON**
34)
35 Pfizer, Inc., et al.)
36)
37 Defendants.)
38 _____
39

40
41 COME NOW, Plaintiff NADINE BERGESON and Defendants PFIZER, INC., et al., by
42 and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a),
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44
45 **STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**
46 **AS TO PLAINTIFF NADINE BERGESON**

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and hereby stipulate to the dismissal of Plaintiff NADINE BERGESON from this action, with prejudice, each side bearing its own attorney's fees and costs.

Respectfully submitted,

Dated: September 24, 2009

KABATECK BROWN KELLNER LLP

By:

Brian S. Kabateck, Esq.

Attorneys for Plaintiff NADINE BERGESON

Dated: October 27, 2009

DLA PIPER LLP

/s/

By:

Matthew A. Holian

Attorney for Defendants PFIZER, INC., et al.

ORDER

PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: OCT 29 2009

Honorable Charles R. Breyer
United States District Court